

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

802 Systems Inc.,

*Plaintiff,*

v.

Cisco Systems, Inc.,

*Defendant.*

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

Civil Action No. 2:20-cv-00315-JRG-RSP

**Jury Trial Demanded**

**AGREED MOTION TO DISMISS WITH PREJUDICE**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the terms of a separate agreement, the Plaintiff, 802 Systems, Inc. (“Company”) and Defendant Cisco Systems, Inc. (“Cisco”) have agreed to settle, adjust and compromise all claims in the above-captioned action. The parties, therefore, move this Court to dismiss the above-entitled cause and all claims by Company against Cisco and all claims by Cisco against Company made therein with prejudice to the re-filing of same.

The parties further move the Court to order that all costs and expenses relating to this litigation (including attorney and expert fees and expenses) shall be borne solely by the party incurring same.

A proposed Order accompanies this motion.

AGREED:

/s/ Timothy E. Grochocinski

BRENT N. BUMGARDNER  
Texas Bar No. 00795272  
BRIAN P. HERRMANN  
Texas Bar No. 24083174

/s/ K. Padmanabhan

Eric H. Findlay  
State Bar No. 00789886  
Findlay Craft, P.C.  
102 North College Ave.

JOHN P. MURPHY  
Texas Bar No. 24056024  
NELSON BUMGARDNER CONROY PC  
3131 West 7th Street, Suite 300  
Fort Worth, Texas 76107  
Telephone: (817) 377-9111  
brent@nelbum.com  
murphy@nelbum.com  
brian@nelbum.com

TIMOTHY E. GROCHOCINSKI  
Illinois Bar No. 6295055  
NELSON BUMGARDNER CONROY PC  
15020 S. Ravinia Ave., Suite 29  
Orland Park, Illinois 60462  
Telephone: (708) 675-1974  
tim@nelbum.com

ATTORNEYS FOR PLAINTIFF

Suite 900  
Tyler, TX 75702  
(903) 534-1100  
(903) 534-1137 fax  
efindlay@findlaycraft.com

David K. Lin (*pro hac vice*)  
Winston & Strawn LLP  
333 S. Grand Ave.  
Los Angeles CA 90071  
Tel: (213) 615-1780  
dlin@winston.com

Krishnan Padmanabhan (*pro hac vice*)  
Winston & Strawn LLP  
200 Park Ave.  
New York City, NY 10166  
Tel: (212) 294-6700  
kpadmanabhan@winston.com

Michael D. French (*pro hac vice*)  
Winston & Strawn LLP  
800 Capitol St., Suite 2400  
Houston, TX 77002  
Tel: (713) 651-2600  
mfrench@winston.com

Brian J. Nisbet (*pro hac vice*)  
Winston & Strawn LLP  
39 W. Wacker Drive  
Chicago, IL 60601  
Tel: (312) 558-5600  
bnisbet@winston.com

ATTORNEYS FOR DEFENDANT

**CERTIFICATE OF CONFERENCE**

In accordance with Local Rule CV-7(h), the undersigned certifies that counsel for Plaintiff conferred with counsel for Defendant and the parties are in agreement as to the relief sought by this agreed motion.

/s/ Timothy E. Grochocinski

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing was served on all parties of record on September 28, 2021 via the Court's CM/ECF system.

/s/ Timothy E. Grochocinski